



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/780,561      | 02/19/2004  | Cheng-Chung Chen     | JIAN 193            | 1699             |

7590 12/14/2005  
RABIN & CHAMPAGNE, P.C.  
Suite 500  
1101 14th Street, N.W.  
Washington, DC 20005

|          |
|----------|
| EXAMINER |
|----------|

WOLFE, DEBRA M

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

3725

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Talk

|                              |                        |  |                     |  |
|------------------------------|------------------------|--|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> |  | <b>Applicant(s)</b> |  |
|                              | 10/780,561             |  | CHEN, CHENG-CHUNG   |  |
|                              | <b>Examiner</b>        |  | <b>Art Unit</b>     |  |
|                              | Debra Wolfe            |  | 3725                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 February 2004.
- 2a) ☐ This action is **FINAL**.
- 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 1 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some    c) ☐ None of:  
    - 1. ☐ Certified copies of the priority documents have been received.
    - 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |



## DETAILED ACTION

### *Drawings*

1. The drawings are objected to because Figure 2-A shows the bottom cover designated by numeral 8D and the screws designated by numeral 8E, however in Figure 2-B the bottom cover is designated by numeral 6D and the screw is designated by numeral 6E. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Specification*

1. The disclosure is objected to because it contains numerous informalities, below are some suggestions for correcting the informalities:

A. Add the term "is" after "workpiece B" on page 1, line 29;



- B. Replace numeral “5” on page 2, line 3 with a “B”;
- C. Remove the second phrase “the connecting rod assembly 8B” on page 7, line 12; it appears twice;
- D. Remove the “are” from line 12 on page 9
- E. Remove the “is” from line 8 on page 10

***Claim Objections***

1. Claim 1 is objected to because of the following informalities:
  - A. Claim 1 is not in proper format. The MPEP states “each claim begins with a capitol letter and ends with a period. Periods may not be used elsewhere in the claims except for abbreviations. [See MPEP 608.01(m)]

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 1 and 2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With regards to claim 2, line 13 states the “said guide slots” it is unclear if the “said guide slots” are to be the “two inner side guide slots” mentioned in line 11 of claim 2 or the “inset guide slot” mentioned in claim 1. This is questioned because claim 2 is dependent upon claim 1. Please further clarify “said guide slots”.



2. Claim 1 recites the limitations "said groove bottoms", "said groove bottom surfaces", "the inset guide slot", "said guide track slot mount", "the rod head", "the expected angle of bend" through out the claim. There is insufficient antecedent basis for this limitation in the claim.

3. Claim 2 recites the limitations "said rod head of the said pressure cylinder piston rod", "the two inner side guide slots" in line 4 and line 11. There is insufficient antecedent basis for this limitation in the claim.

#### ***Allowable Subject Matter***

The following is a statement of reasons for the indication of allowable subject matter:

1. It is the opinion of the examiner that the art of record (considered as a whole) neither anticipates nor renders obvious "a primary clamp block consisting of a clamp block mount, a cushioning mount and a pressure cylinder mount" in combination with the rest of the claimed limitations set forth in the independent claim.

Further searching by the examiner yielded additional prior art as follows:

2. Lisec (U.S. Patent # 6,619,098 B2) discloses a bending head for bending of hollow profile strips into spacer frames having a top guide cheek (4), a lower guide (3) that remains stationary, two side support jaws (14, 15), a bending abutment (5), a bending cheek (7) and a hydraulic cylinder (13). The hollow strip (workpiece 2) is placed in the device and the bending cheek (7) is then placed by the hydraulic cylinder (13) against the outside of the hollow strip (2) and the bending abutment is moved (arrow 24) to lie on top of the hollow strip (2) (See FIG 1). The bending operation is shown in figures 1-3 and discussed in column 2, lines 38-65. Mihara et al discloses an apparatus for plate edge preparation for UOE pipe making process having a



clamping means (10<sub>1</sub>, 10<sub>2</sub>) for clamping a steel plate (3), a male die (12) attached to an upper fixture (11) and a female die (13) adjustably fixed to a bed (14) whereby one end of the bed is rotatably pivoted around an axis (15) and the other is considered to be the actuating part (16) which consists of a push-up device (17) such as an oil cylinder piston.

3. The above cited prior art fails to disclose a primary clamp block having a clamp block mount, a cushioning mount and a pressure cylinder mount. Therefore, it is concluded that claim 1 of the present invention is allowable subject matter over the prior art.

### *Conclusion*

The prior art made of record as showing the state of the art pertinent to applicant's disclosure are:

1. U.S. Patent # 4,355,528 to Rothenberger
2. U.S. Patent # 6,609,405 to Bates et al
3. U.S. Patent # 5,901,600 to Decker
4. U.S. Patent # 5,239,853 to Kutschker

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra Wolfe whose telephone number is (571) 272-1904. The examiner can normally be reached Monday - Thursday 6am - 3:30pm with alternating Fridays 6am - 2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached at (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Application/Control Number: 10/780,561  
Art Unit: 3725

Page 6

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Debra Wolfe  
Examiner  
Art Unit 3725

A handwritten signature in black ink, appearing to read "D. Banks", is positioned above the printed name.

**DERRIS H. BANKS**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 3700**